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6 **IN THE UNITED STATES DISTRICT COURT**

7 **FOR THE DISTRICT OF ARIZONA**

8 United States of America,

No. CR08-0814-01-PHX-DGC

9 Plaintiff,

ORDER

10 v.

11 Daniel David Rigmaiden (1),

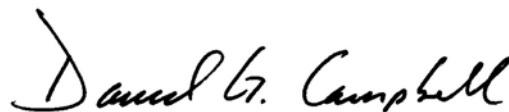
12 Defendant.

13 The Court held a status conference with the parties on January 27, 2012. Among
14 other matters, the following items were resolved.

15 1. The government clarified its concession with respect to a Fourth
16 Amendment search. The government will concede that the actions it took during the air
17 card locating mission were sufficiently intrusive to constitute a search under the Fourth
18 Amendment, but reserves its right to argue that Defendant did not have a reasonable
19 expectation of privacy in the places or items searched. As a result of this concession,
20 Defendant will not need to prove intrusiveness, but will need to address his reasonable
21 expectation of privacy.

22 2. The Court extended the deadline for Defendant's Fourth Amendment
23 motion to suppress until April 27, 2012. The Court extended the page limit for the
24 motion to 75 pages.

25 Dated this 27th day of January, 2012.

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David G. Campbell
United States District Judge